

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2011-006225-001 DT

10/12/2011

HONORABLE LISA DANIEL FLORES

CLERK OF THE COURT  
K. Waldner  
Deputy

STATE OF ARIZONA

GINA MARIE GODBEHERE

v.

DANIEL RAY GUKEISEN (001)

DAVID G DERICKSON  
JENNIFER ANNE SHERIFF

JUDGE RAYES  
MASTER CALENDAR UNIT  
VICTIM SERVICES DIV-CA-CCC

TRIAL CONTINUANCE PAST ORIGINAL LAST DAY

Having considered the Motion to Continue by counsel for the Defense, the Court finds,

1. The nonmoving party or parties: Do Not Object.
2. The Arraignment date was: 5/26/2011
3. The original last day was: 10/23/2011
4. The existing date of the trial when the motion was filed: 11/2/2011
5. The number of continuances granted before this continuance was: 0
6. The motion was: In writing.
7. The motion was filed at least 5 days before trial: Yes

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8. If filed untimely, the motion sets forth with specificity the reasons for its untimeliness: Does Not Apply

The Court finds that delay is indispensable to the interests of justice and that the following extraordinary circumstance(s) exist warranting the continuance:

Discovery and investigation is ongoing for both the Defense and the State.

The Defendant waived applicable time limits: Yes

IT IS ORDERED granting the Motion to Continue, vacating the current trial date and resetting the trial to 12/5/2011 at 8:00 a.m. before the Master Calendar Assignment Judge located in the Central Court Building, Courtroom 702.

IT IS FURTHER ORDERED vacating Final Trial Management Conference on 10/26/2011 and resetting same to 11/29/2011 at 8:30 a.m. before this Division.

IT IS FURTHER ORDERED excluding all time from 11/2/2011 through 12/5/2011 (33 days). NEW LAST DAY: 1/5/2012.

MOTIONS IN LIMINE:

Any motions in limine shall be filed thirty (30) days before Final Trial Management Conference (FTMC) and such motions must meet the test of State v. Superior Court, 108 Ariz. 396, 397, 499 P.2d 152 (1972): "The primary purpose of a motion in limine is to avoid disclosing to the jury prejudicial matters which may compel a mistrial." See also, Ariz. Rules of Evidence, Rule 103(c). A written response to a motion in limine may be filed no later than ten (10) days thereafter. The Court will rule on the motions in limine without oral argument. If the Court wishes to hear argument, the argument will be heard at the morning of FTMC.

PRETRIAL MOTIONS:

All pretrial motions must be filed in writing twenty (20) days before the FTMC. All motions must comply with Rule 35.1 including setting forth a sufficient factual basis for the motion. Failure to file a sufficient motion may result in the motion being denied without evidentiary hearing. See: Rule 16.1[c] Rule 16.2[b]; State v. Anaya 170 Ariz. 436, 443 (1992); State v. Wilson 164 Ariz. 406, 407 (1990) and State v. Alvarado 121 Ariz. 485 (1979).

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For master calendar cases, a copy of all pretrial motions shall be submitted to this division for proper routing. For all other cases, a copy of all pretrial motions shall be submitted to the assigned trial judge.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>. Attorneys are encouraged to review Supreme Court Administrative Orders 2010-117 and 2011-10 to determine their mandatory participation in eFiling through AZTurboCourt.